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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,635	01/31/2002	Brian Minear	010530	1828

7590 04/10/2003

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, CA 92121-1714

EXAMINER

GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 04/10/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

APR 14 2003

10/3



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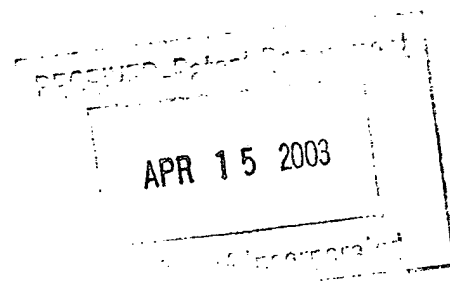
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**Office Action Summary**

Applicati n No.

10/061,635

Applicant(s)

MINEAR ET AL.

Examiner

Jean A Gelin

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-15 and 19-25 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

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**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

<b>Notice of References Cited</b>	Application/Control No. 10/061,635	Applicant(s)/Patent Under Reexamination MINEAR ET AL.	
	Examiner Jean A Gelin	Art Unit 2681	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-2002/0123336	09-2002	Kamada, Tomihisa	455/420
	B	US-2002/0095456	07-2002	Wensheng, Li	709/203
	C	US-2002/0160752	10-2002	Hook et al.	455/412
	D	US-20030041125	02-2003	Salomon	709/220
	E	US-2002/0090986	07-2002	Cote et al.	463/16
	F	US-2002/0013829	01-2002	Kishimoto, Toyoaki	709/219
	G	US-2002/0072355	06-2002	Jeong et al.	455/419
	H	US-6,473,609	10-2002	Schwartz et al.	455/406
	I	US-6,185,682	02-2001	Tang, Wei J.	713/168
	J	US-6,356,543	03-2002	Hall et al.	370/352
	K	US-6,336,101	01-2002	Dean et al.	705/29
	L	US-6,493,751	12-2002	Tate et al.	709/221
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

## DETAILED ACTION

### *Claim Objections*

1. Claim 1, 10, 11, and 19 are objected to because of the following informalities:  
the phrase "the requested data" is not consistent with the claimed limitations. Are you referring to the downloading data? Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-4, 8-15, and 19-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Kamada (US 2002/0123336).

Regarding claims 1, 9, and 10, Kamada teaches a system for displaying an interactive screen on the graphic display of a wireless device (10) communicating with network server prior to download of data to the wireless device (i.e., server requests the user to enter information for verification purpose, page 6 section 0083), the system comprising: one or more user-interactive wireless devices (i.e., a page is displayed for authentication, fig. 12), each wireless device (10) including a computer platform (typical to device 10) and a graphic display (screen of fig. 12) thereon, and each wireless device (10) in selective communication to a wireless network (page 6 section 0083); and one or more network servers in selective communication to the wireless network, and each

network server selectively in communication with the one or more wireless devices and selectively downloading applications and data to wireless devices thereto (page 6, section 0085), wherein, upon a wireless device attempting to download data from a network server; across the wireless network, the system transmitting an interactive screen to the computer platform of the wireless device across the wireless network prior to downloading the requested data to the wireless device, and the wireless device displaying the interactive screen on the graphic display thereof (i.e., the network server sends a requests for user to enter his information prior to download application from the server, page 6, sections 0083 and 0085).

Regarding claim 2, Kamada teaches wherein, upon the user of the wireless device interacting with the interactive screen displayed on the graphic screen of the wireless device, the wireless device sending a signal to the network server indicating the interaction (i.e., user selects application, page 6 sections 0083 and 0085), and the network server downloading the requested data to the computer platform of the wireless device (page 6, sections 0083-0085).

Regarding claim 3, Kamada teaches wherein upon a wireless device attempting to download a software application from an network server across the wireless network, the system transmitting an interactive screen to the computer platform of the wireless device across the wireless network prior to downloading the requested software application to the wireless device, and the wireless device displaying the interactive screen on the graphic display thereof (page 6, sections 0083 and 0085).

Regarding claim 4, Kamada teaches wherein the interactive screen is transmitted to the wireless device from a first network server that the wireless device attempted to download data from (i.e., server requests user to enter ID, page 6, section 0083, screen of fig. 12).

Regarding claim 8, Kamada teaches wherein the interactive screen allows user input of data at the wireless device, and upon the user of the wireless device inputting data on the interactive screen displayed on the graphic screen of the wireless device, the wireless device sending the inputted data to the network server, and the network server processing the input data and selectively downloading the requested data to the computer platform of the wireless device (inputting data in fig. 12, and downloading application fig. 16, page 6, sections 0083-0085).

Regarding claims 11, and 19-21, Kamada teaches a method for displaying an interactive screen on the graphic display of a user interactive wireless devices (fig. 12) selectively communicating with network server and downloading applications and data therefrom (i.e., server requests the user to enter information for verification purpose, page 6 section 0083), the method comprising: attempting to download data to the wireless device from the network server across the wireless network (i.e., user accesses the sale server, page 6, section 0083); transmitting a interactive screen to the computer platform of the wireless device across the wireless network prior to downloading the requested data to the wireless device (server transmits a request to the user to enter his information for downloading application, page 6, sections 0083-

0085); and displaying the interactive screen on the graphic display of the wireless device (fig. 12).

Regarding claim 12, Kamada teaches wherein attempting to download data to the wireless device from the network server across the wireless network includes attempting to download a software application to the wireless device from a network server across the wireless network (page 1, section 0013 and page 6, section 0083).

Regarding claim 13, Kamada teaches interacting with the interactive screen at the wireless device (fig. 12); sending a signal to the network server from the wireless device indicating the interaction (page 6, section 0083); and downloading the requested data from the network server to the computer platform of the wireless device (fig. 16).

Regarding claim 14, Kamada teaches wherein transmitting an interactive screen to the wireless device across the wireless network includes transmitting an interactive screen from the network server to the wireless device across the wireless network (i.e., is page to enter user ID in response to server request, page 6, section 0083).

Regarding claims 15, 22, Kamada teaches wherein the interactive screen allows user input of data at the wireless device (i.e., entering ID and password in fig. 12), and further comprising: inputting data on the interactive screen displayed on the graphic screen of the wireless device (i.e., entering ID and password, fig. 12); sending the inputted data from the wireless device to the network server (i.e., to access application in the server, page 6, sections 0083-0085); processing the input data at the network server (page 6, sections 0083-0085); and selectively downloading the requested data from the network server to the computer platform of the wireless device (fig. 16).



Regarding claim 23, Kamada teaches a computer readable medium, a program that, when executed, directs a wireless device having a computer platform and a graphic display (fig. 12), the wireless device selectively downloading applications and data from a network server across a wireless network (fig. 16) and performs the method comprising: attempting to download data from a network server across the wireless network (accessing the server, page 6, section 0083); receiving a transmitted interactive screen at the computer platform of the wireless device (i.e., illustration of fig. 12 is an interactive page), the interactive screen in response to the data download attempt (page 6, section 0083); and displaying the transmitted interactive screen on the graphic display of the wireless device (fig. 12).

Regarding claims 24 and 25, Kamada teaches allowing the user to interact with the interactive screen at the wireless device (i.e., fig. 12 is interactive form); and sending a signal to the network server from the wireless device indicating user interaction (page 6, sections 0083-0085).

#### ***Allowable Subject Matter***

4. Claims 5-7, and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art teaches that the user of a wireless device receives a request from a server to enter his ID prior to download application from the server.

On the other hand, the Applicant teaches wherein, upon a wireless device attempting to download data from a first network server across the wireless network, the interactive screen is transmitted to the wireless device from a second network server across the wireless network. This limitation, in conjunction with all limitations of the independent and dependent claims, has not been disclosed, taught, or made obvious over the prior art of record.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tate et al. (US 6,493,751) teaches network configuration method and system for a window-based operating system environment.

Dean et al. (US 6,336,101) teaches tracking of computer components allocated during configuration of computer systems and networks by a simplified user configuration process.

Hall et al. (US 6,356,543) teaches controlling mobile phone system user views from the World Wide Web.

Tang (US 6,185,682) teaches authentication system.

Schwartz et al. (US 6,473,609) teaches method and architecture for interactive two-way communication devices to interact with network.

Jeong et al. (US 2002/0072355) teaches method for distributing application software in mobile communication system.

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Kishimoto (US 2002/0013829) teaches information-processing apparatus and information-processing method.

Cote et al. (US 2002/0090986) teaches computer gambling game.

Salomon (US 2003/0041125) teaches internet-deployed wireless system.

Hook et al. (US 2002/0160752) teaches method for downloading software.

Wensheng (US 2002/0095456) teaches system and computer program for managing information on individuals

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (703) 305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.Gelin  
April 1, 2003

JEAN GELIN  
PATENT EXAMINER

*Jean Allard Gelin*